



Planning and Development Acts 2000 to 2022

Planning Authority: Donegal County Council

Planning Register Reference Number: 23/51323

Appeal by Bernard Doherty of 3 Terhoran, Clonmany, County Donegal and by Teresa Gordon of 80 Route des Etoves, 74110 La Cote d'Arbroz, France against the decision made on the 22nd day of February, 2024 by Donegal County Council to grant subject to conditions a permission to Paul Doherty care of Patrick Canning and Associates of Ballylawn, Manorcunningham, Letterkenny, County Donegal in accordance with plans and particulars lodged with the said Council.

Proposed Development: Erection of an extension to existing agricultural shed including an underground effluent storage tank for the collection of associated nutrients on existing farmyard at Straid, Clonmany, County Donegal.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the nature and scale of the development within an established agricultural farmyard, it is considered that, subject to compliance with the conditions as set out below, the proposed development would not seriously injure the residential or visual amenity of the area, would not give rise to any material impacts on the road network, nor would it give rise to a traffic hazard, and would be acceptable in terms of public health and environmental sustainability. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 12th day of December, 2023 and the 2nd day of February 2024, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. The use of the proposed building shall be for agricultural purposes only.

Reason: In the interest of clarity.

3. The development shall be designed and constructed in accordance with the Department of Agriculture, Food and the Marine specifications as per the European Communities (Good Agricultural Practice for Protection of Waters) Regulations, 2022 (S.I 113 of 2022).

Reason: In the interests of public health and residential amenity.

4. Drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services. In this regard:
- (a) uncontaminated surface water run-off shall be disposed of directly in a sealed system, and
 - (b) all soiled waters shall be directed to a storage tank. Drainage details shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of environmental protection and public health.

5. Site access arrangements, and the provision and maintenance of visibility splays, shall comply with the requirements of the planning authority for such works.

Reason: In the interest of road safety.

6. The structure herein permitted shall be constructed and finished in a manner that is consistent in appearance with the adjoining agricultural structures within the existing farmyard complex.

Reason: In the interest of visual amenity.


Martina Hennessy

Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 4th day of June 2024.